

Community Housing Directive

OCC 2020-03 Occupancy Standards and Special Circumstances

Date of Directive:	October 2020
Replaces Directive:	OCC-2018-01
Effective Date:	<input checked="" type="checkbox"/> Immediate <input checked="" type="checkbox"/> Until further notice <input type="checkbox"/> To be updated annually
Legislation:	Housing Services Act, (HSA) 2011 s.43(2)
Regulation:	Ontario Regulation 367/11 s.42
Applies to:	<input checked="" type="checkbox"/> HSA Providers. <input type="checkbox"/> Non-HSA Providers <input checked="" type="checkbox"/> Housing Access Peterborough (HAP) and Managers of other Community Housing Wait Lists

Intent

To provide local rules which govern the size and type of a community housing unit to which a household or receiving Rent-Geared-to-Income (RGI) assistance is entitled.

Policy

Maximum Number of Bedrooms

Households are entitled to a maximum number of bedrooms in a community housing unit, according to the size of the household. The occupancy standards are:

- One bedroom for any two members of the household who are spouses of each other.
- One bedroom for each additional member of the household.
- An additional bedroom(s) if the housing provider is satisfied that extenuating circumstances exist (by approval of the Service Manager).

Minimum Number of Bedrooms

A household may accept a unit size that is smaller than the maximum allowed. Accepting a smaller unit will not give the household priority when applying for a larger unit through Housing Access Peterborough.

The smallest unit a household is eligible for is a unit that has one bedroom for any two members of the household, and an additional bedroom if the household has an odd number of members.

Consideration for Units

Applicants who do not identify their preference for the size and type of unit will be considered for all units for which they are eligible, and the one offer rule of refusal will apply.

Students

Students living away from household must be a child of a household member, and:

- must be in attendance at a recognized educational institution (does not live with the household while in attendance);

- lives with the household while not attending the educational institution; and
- is dependent, in whole or in part, on the household for financial support
- not limited by age or full time status.

Additional Bedrooms for Medical Reasons

An additional bedroom may be allowed for the following documented medical reasons:

- One of the spouses, same-sex partners, or child requires a separate bedroom because of a disability or medical condition.
- A room is required to store equipment that a member of the household needs because of a disability or medical condition.
- One bedroom if a room is required to accommodate an individual, who is not a household member, who provides support services to a member because of a disability or medical condition

The following circumstances and medical conditions will not normally be considered for an additional bedroom under this provision:

- frequent night-time waking or insomnia
- temporary medical conditions that make the sharing of a bedroom inconvenient for a short period
- snoring

The size and type of equipment that is required must be detailed. Housing Access Peterborough or the Housing Provider will determine if the equipment can be reasonably accommodated in the existing unit or if an additional bedroom is required.

Children of the Household

An additional bedroom may be allowed due to number of children in the household, as follows:

- A household member has joint custody of a child who is not a member of the household, and:
 - the member is required to provide accommodation for the child; and
 - the bedroom is required to accommodate the child.
- A household member has visiting rights with a child who is not a member of the household, and:
 - a condition of the visiting rights is that the member provide accommodation for the child when the child stays overnight;
 - the child will stay overnight with the member frequently; and
 - the bedroom is required to accommodate the child.
- A household member is pregnant.

Documentation may be required to verify the need for an additional bedroom due to children in the household at the discretion of Housing Access Peterborough.

Related Rules and Legislation

Where Children's Aid Society (CAS) is involved, the CAS will make a case-by-case determination of suitability of size of units and occupancy for any situation they are involved in. Factors for consideration will be the age and gender of the children. CAS requirements will be used by Housing Access Peterborough in determining the appropriately sized unit for the household.

Changes to Household Size

It is the household's responsibility to inform Housing Access Peterborough, Managers of other Community Housing wait lists and/or their Housing Provider of changes to their household size within 30 days of the change.

Action

Local occupancy standards are to be used when:

- A household applies for RGI assistance
- A household receives an offer to rent an RGI housing unit
- A household applies for an internal transfer or is on an internal transfer/In Situ waiting list
- A change of household size occurs, resulting in that household being under-housed or over-housed, regardless of when they commenced occupancy of their unit

RGI Occupancy Standards do not apply to tenants in special needs units as long as the tenant/member continues to qualify for the support or modification they can remain in the larger unit.

Housing Providers must make information available on the local occupancy standards. In addition, Housing Providers must inform any household immediately impacted by the occupancy standards and explain how the household will be affected.

Housing Providers should follow best practices regarding the lease or membership agreement whenever there is a change in the occupancy of a unit to ensure the Housing Provider has the most up-to-date list of household occupants and appropriate signatures are in place.

Rebecca Morgan Quin
Manager
Housing Services